

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

---

BARKSDALE SCHOOL PORTRAITS,  
LLC, d/b/a HOCKMEYER WITH  
BARKSDALE, and BSP NEW ENGLAND,  
LLC d/b/a HOCKMEYER WITH  
BARKSDALE,

Plaintiffs,

v.

ELIZABETH HOCKMEYER WILLIAMS,  
and E-LLUMINATIONS,

Defendants.

---

Civil Action No. 20-cv-11393-IT

Civil Action No. 20-cv-11640-IT

(Partially Consolidated for  
Discovery and Scheduling Purposes)

**JOINT STATEMENT PURSUANT TO COURT'S JUNE 3 ORDER**

The parties to the above-captioned action submit this Joint Statement pursuant to the directives provided by the Court on June 3, 2021, during the hearing on plaintiffs' Motion for Sanctions, and as reflected in the Electronic Clerk's Notes [ECF Doc. 70].

The parties have conferred as to matters outstanding, including those required by the Court's directive, and can report the following as to outstanding depositions, motions to compel, the petition for fees and costs, and mediation.

**I.     MEDIATION**

The parties request that the Court assign this matter to mediation before U.S. Magistrate Judge Judy Dein and, if she is not available during July or August, U.S. Magistrate Judge Jennifer Boal. The parties request that discovery be stayed until after mediation except with respect to the parties' continuing obligations to produce documents previously requested.

## **II. DEPOSITIONS**

The parties have reached the following agreements as to outstanding depositions:

1. The parties agree that Defendants may take the depositions of Mo Ehtesham and Brad Ells. The Defendants may also complete the depositions of Wayne Barksdale, Susan Sheridan Barksdale, and Belle Lawrence, with the continued depositions limited to questions based on the documents produced after the initial depositions and new information contained in such documents. Such continued depositions are limited to one and a half hours of examination time each unless it becomes necessary to extend past the time limit due to the deponent intentionally seeking to extend such deposition by engaging in unreasonable conduct.
2. The parties agree that Plaintiffs may take the depositions of Chloe Howard and Brian Hockmeyer.
3. No depositions will be held until after the mediation. If mediation proves unsuccessful, the parties shall have two months from the mediation to complete these depositions.

## **III. DOCUMENT DISCOVERY**

As to document production, the open issues are:

1. Defendants' Motion to Compel and for Sanctions [ECF Doc. 50], which has been fully briefed, remains pending; and
2. Plaintiffs' plan to file a Motion to Compel for four key documents, as noted in their Response in Opposition to Defendants' Motion to Compel [ECF Doc. 61 at 9-10].

#### IV. PETITION FOR FEES AND COSTS

Plaintiffs have presented counsel for Defendants with an itemized detail of their attorneys' fees and costs incurred in bringing the Motion for Sanctions, for which they seek payment from former defense counsel, Jeffrey Rosin. Rosin has agreed to pay such fees and costs.

Respectfully submitted,

*/s/ William T. Harrington*

---

William T. Harrington (BBO No. 564445)  
Harrington & Rice, P.C.  
738 Main Street  
Hingham, MA 02043  
(781) 385-7230  
wth@harringtonrice.com

*Attorneys for ELIZABETH HOCKMEYER  
WILLIAMS, JCW Consulting, LLC d/b/a E-  
LLUMINATIONS, AND JEFF WILLIAMS*

Respectfully submitted,

*/s/ Jeffrey A. Dretler*

---

Jeffrey A. Dretler (BBO# 558953)  
RUBIN AND RUDMAN LLP  
53 State Street  
Boston, MA 02109  
Telephone: (617) 330-7078  
Facsimile: (617) 330-7550  
E-mail: [jdretler@rubinrudman.com](mailto:jdretler@rubinrudman.com)

Michael D. Homans (Admitted *Pro Hac Vice*)  
HOMANSPECK, LLC  
1500 John F. Kennedy Blvd., Suite 520  
Philadelphia, PA 19102  
Telephone: (215) 419-7477  
E-mail: [mhomans@homanspeck.com](mailto:mhomans@homanspeck.com)

*Attorneys for BARKSDALE SCHOOL  
PORTRAITS LLC d/b/a Hockmeyer with  
Barksdale and BSP NEW ENGLAND, LLC  
d/b/a Barksdale with Hockmeyer.*

**CERTIFICATE OF SERVICE**

The undersigned certifies that on June 18, 2021, a true copy of the above document was filed electronically and served by mail on anyone unable to accept electronic filing. Notice of this filing will be sent by e-mail to all parties who have appearances as of the time of this filing by operation of the Court's electronic filing system or by mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the Court's CM/ECF System.

/s/ Michael D. Homans